

Appln No. 10/815,615
Amdt. Dated May 15, 2006
Response to Office Action of April 18, 2006

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REMARKS/ARGUMENTS

The Applicant thanks the Examiner for the Office Action dated April 18, 2006.

Amendments to the Specification

Pages 1-2, 40, 45, and 104 of the specification have been amended to update docket numbers with USPTO application serial numbers. The Applicant submits that no new matter is introduced.

Claim Rejections - 35 USC § 102(b)

The Examiner has rejected claims 1-2, 6-8, 11 and 13-15 under 35 USC § 102(b) as being anticipated by Lapstun (US 6,978,019).

The present application was filed on April 2, 2004 and claims priority from an Australian application filed on April 7, 2003. The present application therefore has an effective date of April 7, 2003.

Lapstun was published on December 20, 2005 which is after the effective date of the present application. Accordingly, Lapstun does not qualify as prior art under 35 USC § 102(b).

Neither does Lapstun qualify as prior art under 35 USC § 102(e). Lapstun was not filed "by another". Both Lapstun and the present application have the same inventive entity – Kia Silverbrook and Paul Lapstun. Accordingly, Lapstun does not qualify as prior art under 35 USC § 102(e) either.

Given the prior art status of Lapstun, the Examiner is requested to withdraw all claim rejections under 35 USC § 102.

Claim Rejections - 35 USC § 103(a)

Likewise, for the reasons given above, Lapstun cannot be used to allege obviousness under 35 USC § 103(a). Accordingly, the Examiner is requested to withdraw all claim rejections under 35 USC § 103(a).

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It is respectfully submitted that all of the Examiner's objections have been successfully traversed. Accordingly, it is submitted that the application is now in condition for allowance. Reconsideration and allowance of the application is courteously solicited.

Very respectfully,

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